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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE APPLICATION OF DEBBIE GUSHLAK
PURSUANT TO 28 U.S.C. § 1782 FOR THE
TAKING OF DISCOVERY FOR USE IN A
FOREIGN PROCEEDING

ORDER

11-MC-218 (NGG)

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NICHOLAS G. GARAUFIS, United States District Judge.

Before the court is a motion by Respondents Myron Gushlak and Yelena Furman to redact certain material from the public record of this case. (See Docket Entry # 71.) The court referred the motion to Magistrate Judge James Orenstein for a report and recommendation (see Docket Entry # 68), and Judge Orenstein has recommended that the motion be denied (see Report and Recommendation of July 27, 2012 (“R&R”) (Docket Entry # 120)). For the following reasons, Judge Orenstein’s report and recommendation (“R&R”) is ADOPTED in its entirety. Myron Gushlak’s motion to redact or seal certain documents is DENIED.

Myron Gushlak has filed what he styles as an “OBJECTION TO MAGISTRATE’S JULY 27, 2012 REPORT & RECOMMENDATION DENYING MOTION TO SEAL OR REDACT CERTAIN SENSITIVE DOCUMENTS” (see Docket Entry # 147), but the submission fails to assign any specific legal or factual error to the R&R.

While a district court will review de novo those portions of a report and recommendation to which there is an objection, see 28 U.S.C. § 636(b)(1), this heightened standard of review is triggered only if the objector is able to identify the specific portions of the report and recommendation that he or she believes are erroneous and provides a legal explanation for why

he or she believes these portions are in error, see U.S. Flour Corp. v. Certified Bakery, Inc., No. 10-CV-2522 (JS) (WDW), 2012 WL 728227, at *2 (E.D.N.Y. Mar. 6, 2012). Conclusory or general objections are insufficient; in such cases, the court reviews the R&R for clear error. See Pall Corp. v. Entergris, Inc., 249 F.R.D. 48, 51 (E.D.N.Y. 2008); see also Mario v. P&C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002) (holding that plaintiff's objection to a report and recommendation was "not specific enough" to "constitute an adequate objection").

Here, Myron Gushlak has failed to identify which portions of the R&R he believes are erroneous. The court accordingly reviews the R&R for clear error and finds none.

The R&R is ADOPTED. Myron Gushlak's motion redact or seal certain documents is DENIED.

SO ORDERED.

s/NGG

Dated: Brooklyn, New York
August 28, 2012

NICHOLAS G. GARAUFIS
United States District Judge

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